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DICKSTEIN SHAPIRO LLP 1825 EYE STREET NW Washington, DC 20006-5403			EXAMINER HASHEM, LISA	
			ART UNIT	PAPER NUMBER
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SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/930,229

Applicant(s)

FORBES, LEONARD

Examiner

Lisa Hashem

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-20-06.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-6,9-13,22,24-36,38-43 and 55-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,9-13,22,24-36,38-43 and 55-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see Amendment, filed 11-20-06, with respect to the rejection(s) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn.

However, upon further consideration, a new ground(s) of rejection is made.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims (1, 3-6, 9-13, 54, 72), (55-60), and (61-66) are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 55, and 61 include the limitation '...for retrieving stored data from said memory device for transmission by said transmitter/receiver circuit from said module, in such a way that the memory module functions like an extra hard drive on said processor system...'. This limitation is vague in clearly defining exactly the role and function of the portable wireless memory module.

4. Claims (1, 3-6, 9-13, 54, 72), (22, 24-35), (36-43), and (67-71) are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 1, 22, 36, and 67 include the limitation '...any of a plurality of processing systems...'. This limitation is so broad that it can cover any type of processing system, however the specification limits what the processing system is in section 0010 of the specification. The definition of the processing system from the specification is not applied to the claims.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 4, 5, 9-13, 36, 38, 40, 41, 43, 54-68, 70, 71, 72 are rejected under 35

U.S.C. 102(e) as being U.S. Pat. No. 7,149,511 by Bachner, III et al, hereinafter Bachner.

Regarding claim 1, Bachner discloses a portable wireless memory module (Fig. 1, 30; Fig. 2; e.g. wireless intelligent personal server (WIPS)) for storing data, said module comprising:
a power supply unit (Fig. 2, 150);
a transmitter/receiver circuit (Fig. 2: 134, 136, 138, 142, 144, 146) for
(i) wirelessly receiving data and commands communicated to said module from any of a plurality of processing systems (Fig. 1: 14, 24, 32) and
(ii) wirelessly transmitting stored data from said module, said wireless reception and transmission using radio waves (col. 6, line 51 – col. 7, line 13; col. 8, lines 34-67);
at least one memory device (Fig. 2, 106) for storing said data received by and sent from said transmitter/receiver circuit (col. 7, line 49 – col. 8, line 2); and
a controller (Fig. 2, 100) in communication with said at least one memory device and said transmitter/receiver circuit for storing data in said memory device received by said transmitter/receiver circuit and for retrieving stored data from said memory device for transmission by said transmitter/receiver circuit from said module (col. 6, line 51 – col. 7, line

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13; col. 8, lines 34-51), in such a way that the memory module functions like an extra hard drive on said processor system (col. 1, lines 6-12; col. 4, lines 44-54; col. 6, lines 31-41).

Regarding claim 4, a memory module according to claim 1, wherein Bachner further discloses said radio waves are BluetoothTM compliant radio waves (col. 5, lines 17-24; col. 8, lines 34-67).

Regarding claim 5, a memory module according to claim 1, wherein Bachner further discloses said transmitter/receiver automatically establishes a radio wave communications path with a processing system (Fig. 1: 24, 32) when within a vicinity of the processing system which is sufficient to establish a wireless communications path (col. 5, lines 17-24; col. 6, lines 6-8; col. 8, lines 34-67).

Regarding claim 9, a memory module according to claim 8, wherein Bachner further discloses said power supply unit comprises at least one battery (Fig. 1, 150; col. 10, lines 51-59).

Regarding claim 10, a memory module according to claim 9, wherein Bachner further discloses said at least one battery is rechargeable (Fig. 1, 150; col. 10, lines 51-59).

Regarding claim 11, a memory module according to claim 10, wherein Bachner further discloses said power supply unit further comprising terminals for communicating with a recharger for recharging said at least one rechargeable battery (Fig. 1, 150; col. 10, lines 51-59).

Regarding claim 12, a memory module according to claim 1, wherein Bachner further discloses said memory device comprises a dynamic random access memory device (col. 7, line 49 – col. 8, line 2).

Regarding claim 13, a memory module according to claim 1, wherein Bachner further discloses said memory device comprises a flash memory device (col. 7, line 49 – col. 8, line 2).

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Regarding claim 36, Bachner discloses a method of wireless data transfer (see Abstract), said method comprising:

wirelessly transmitting data from a first processor system (Fig. 1: 14, 24, 32), to a portable memory module (Fig. 1, 30; Fig. 2; e.g. wireless intelligent personal server (WIPS));

receiving with said portable memory module said data transmitted from the first processor system and storing said received data at said memory module (Fig. 2, 106); and

wirelessly transmitting stored data previously received from said first processor system from said portable memory module any of a plurality of other processing systems (Fig. 1: 14, 24, 32; col. 6, line 51 – col. 7, line 13; col. 8, lines 34-51).

Regarding claim 38, a method according to claim 36, wherein Bachner further discloses said wireless transmission and reception uses radio waves (col. 6, line 51 – col. 7, line 13; col. 8, lines 34-67).

Regarding claim 40, a method according to claim 38, wherein Bachner further discloses said radio waves are BluetoothTM compliant radio waves (col. 5, lines 17-24; col. 8, lines 34-67).

Regarding claim 41, a method according to claim 36, wherein Bachner further discloses automatically establishing a radio wave communications path between said portable memory module (Fig. 1, 30) and said first processor system (Fig. 1: 24, 32) when said portable memory module and said first processor system are within a sufficiently close vicinity of one another to establish a wireless communications path (col. 5, lines 17-24; col. 6, lines 6-8; col. 8, lines 34-67).

Regarding claim 43, a method according to claim 36, wherein Bachner further discloses said wireless transmission and reception uses light waves (col. 5, lines 17-21).

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Regarding claim 54, a memory module according to claim 1, wherein Bachner further discloses said data comprises data files (col. 4, lines 44-54; col. 6, line 42 – col. 7, line 13).

Regarding claim 55, Bachner discloses a wireless portable memory module system comprising:

a recharger (col. 10, lines 51-59) for detachably receiving and recharging thereat a portable memory module (Fig. 2, 30) having a rechargeable power supply (Fig. 2, 150);

said portable memory module comprising:

a memory device (Fig. 2, 106) for storing data (col. 7, line 49 – col. 8, line 2);

a transmitter/receiver (Fig. 2: 134, 136, 138, 142, 144, 146) for wirelessly exchanging data with a processor system (Fig. 1: 14, 24, 32) using radio waves (col. 6, line 51 – col. 7, line 13; col. 8, lines 34-67);

a controller (Fig. 2, 100) coupled to said transmitter/receiver for receiving data and storing said received data in said memory device and for retrieving stored data from said memory device for transmitting said stored data from said memory module (col. 6, line 51 – col. 7, line 13; col. 8, lines 34-51) in such a way that the memory module functions like an extra hard drive on said processor system (col. 1, lines 6-12; col. 4, lines 44-54; col. 6, lines 31-41); and

a rechargeable power supply (Fig. 2, 150) (col. 10, lines 51-59).

Regarding claim 56, the system of claim 55, wherein Bachner further discloses said recharger is a stand-alone recharging station (col. 10, line 60 – col. 11, line 10).

Regarding claim 57, the system of claim 55, wherein Bachner further discloses said recharger is part of a processing system (col. 10, line 60 – col. 11, line 10).

Regarding claim 58, the system of claim 55, wherein Bachner further discloses said rechargeable power supply is a battery (Fig. 2, 150) and said recharger is a battery charger (col. 10, line 60 – col. 11, line 10).

Regarding claim 59, the system of claim 55, wherein Bachner further discloses the recharger comprises a plug for receiving and connecting to said portable memory module (col. 10, line 60 – col. 11, line 10).

Regarding claim 60, the system of claim 59, wherein Bachner further discloses said portable memory module further comprises at least one terminal (Fig. 2, 152) at said rechargeable power supply for connection with said plug (col. 10, lines 51-59).

Regarding claim 61, Bachner discloses a portable wireless computer storage device (Fig. 1, 30; Fig. 2; e.g. wireless intelligent personal server (WIPS)) comprising:
a transmitter/receiver circuit (Fig. 2: 134, 136, 138, 142, 144, 146) for directly and wirelessly receiving data storage commands and data for storage from a general purpose computer and for directly and wirelessly transmitting stored data to a general purpose computer (Fig. 1: 12, 24, 32; col. 4, line 44 – col. 5, line 7);
at least one memory device for storing data (Fig. 2, 106; col. 7, line 49 – col. 8, line 2); and
a controller (Fig. 2, 100) in communication with said transmitter/receiver circuit and said at least one memory device for storing in said memory device data received from a general purpose computer in response to a command and for retrieving stored data from said memory device for transmission to a general purpose computer in such a way that the at least one memory module functions like an extra hard drive on said general purpose computer (col. 1, lines 6-12; col. 4, lines 44-54; col. 6, lines 31-41; col. 8, lines 34-67).

Regarding claim 62, a portable wireless computer storage device according to claim 61, wherein Bachner further discloses said wireless transmission and reception uses Bluetooth™ compliant radio waves (col. 5, lines 17-24; col. 8, lines 34-67).

Regarding claim 63, a portable wireless computer storage device according to claim 61, wherein Bachner further discloses said general purpose computer is one of a laptop computer or a desktop computer (Fig. 1: 12, 24, 32; col. 4, line 44 – col. 5, line 7).

Regarding claim 64, a portable wireless computer storage device according to claim 61, wherein Bachner further discloses said at least one memory device comprises a dynamic random access memory device (col. 7, line 49 – col. 8, line 2).

Regarding claim 65, a portable wireless computer storage device according to claim 61, wherein Bachner further discloses said at least one memory device comprises a flash memory device (col. 7, line 49 – col. 8, line 2).

Regarding claim 66, a portable wireless computer storage device according to claim 61, wherein Bachner further discloses said portable wireless computer storage device is adapted to wirelessly transmit retrieved, stored data from said at least one memory device to any of a plurality of general purpose computers (col. 4, line 44 – col. 5, line 7; col. 8, lines 34-67).

Regarding claims 67, 68, 70, and 71, please see the rejections of claims 36, 38, 40, and 41, respectively, to reject claims 67, 68, 70, and 71.

Regarding claim 72, a memory module according to claim 1, wherein Bachner further discloses said at least one memory device comprises at least 100 Mbytes of memory (col. 7, line 49 – col. 8, line 2).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 3 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable by Bachner, as applied to claim 1 above, in further view of Lehtonen.

Regarding claim 3, a memory module according to claim 1, wherein Bachner does not disclose a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz.

Lehtonen discloses a portable wireless memory module (Fig. 3, 21) for storing data, said module comprising (see Fig. 3, 21):

- a power supply unit (section 0019, lines 3-8; Fig. 2, 26; section 0032, lines 1-9);
- a transmitter/receiver circuit (Fig. 3, BT2) for
 - (i) wirelessly receiving data and commands communicated to said module from a processing system (Fig. 3, 22) and
 - (ii) wirelessly transmitting stored data from said module (Fig. 3: 21), said wireless reception and transmission using radio waves (section 0027, lines 5-9; section 0031, lines 8-11; section 0032, lines 1-4);
- at least one memory device or memory card for storing said data received by and sent from said transmitter/receiver circuit; and
- a controller (Fig. 3: MCU) in communication with said at least one memory device and said transmitter/receiver circuit for storing data in said memory device received by said

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transmitter/receiver circuit and for retrieving stored data from said memory device for transmission by said transmitter/receiver circuit from said module (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0030, line 1 - section 0031, line 13), in such a way that the memory module functions like an extra hard drive on said processor system (section 0019, lines 10-23; section 0051, line 1 – section 0053, line 4).

Wherein Lehtonen further discloses a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the portable wireless memory module of Bachner to include a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz as taught by Lehtonen. One of ordinary skill in the art would have been lead to make such a modification in order for the memory module to wirelessly transmit stored data to and receive data to other processing systems using low frequencies to permit communication at low power.

Regarding claim 6, a memory module according to claim 3, wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4).

9. Claims 22 and 24-35 are rejected under 35 U.S.C. 103(a) as being unpatentable by Bachner in view of Marshall.

Regarding claim 22, Bachner discloses a system for the wireless transfer of data (see Abstract; Fig. 1), said wireless data transfer system comprising:

(a) a first processor system (Fig. 1: 14, 24, 32) comprising:

(i) wirelessly receiving data communicated to said first processor system and (ii) wirelessly transmitting data and commands from said first processor system (col. 3, line 62 – col. 4, line 25;

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col. 6, line 42 – col. 7, line 13); and (b) a portable memory module (Fig. 1, 30; Fig. 2; e.g.

wireless intelligent personal server (WIPS)),

providing memory storage for said first processing system (col. 1, lines 6-12; col. 4, lines 44-54; col. 6, lines 31-41),

the portable memory module comprising:

at least one memory module memory device for storing data (Fig. 2, 106);

a memory module transmitter/receiver circuit (Fig. 2: 134, 136, 138, 142, 144, 146) for

(i) wirelessly receiving data to be stored and commands communicated to said module from said first processor system and (ii) wirelessly transmitting stored data from said module; and

a memory module controller (Fig. 2, 100) in communication with said at least one memory

module memory device and said memory module transmitter/receiver circuit for storing data in said portable memory module memory device received by said portable memory module

transmitter/receiver circuit from said first processor system and for retrieving stored data

received from said first processor system from said portable memory module memory device for

transmission by said portable memory module transmitter/receiver circuit from said module to

any of a plurality of other processing systems (col. 6, line 51 – col. 7, line 13; col. 8, lines 34-67).

Bachner discloses a first processing system. However, Bachner does not disclose a first processing system comprising: a transmitter/receiver circuit and controller.

Marshall discloses a system for the wireless transfer of data (see Abstract; Figs. 1, 2), said wireless data transfer system comprising:

(a) a first processor system (Fig. 1, 30) comprising:

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at least one first processor system memory device (Fig. 1, 32);

a first processor system transmitter/receiver circuit (Fig. 1, 36) for

(i) wirelessly receiving data communicated to said first processor system and (ii) wirelessly transmitting data and commands from said first processor system (section 0024, 0027-0029); and

a first processor system controller (Fig. 1, 34) in communication with said at least one first processor system memory device and said first processor system transmitter/receiver circuit for storing data in said memory device received by said transmitter/receiver circuit from said first processor system and for retrieving data from said memory device for transmission by said transmitter/receiver from said first processor system;

and (b) a portable memory module (Fig. 1, 10),

providing memory storage for said first processing system (section 0022, 0024, 0025, 0035, 0054),

the portable memory module comprising:

at least one memory module memory device for storing data (Fig. 1, 16; Fig. 3, 16; Fig. 8, 202; section 0024, 0054);

a memory module transmitter/receiver circuit (Fig. 1, 18; Fig. 3, 18; Fig. 8, 204) for

(i) wirelessly receiving data to be stored and commands communicated to said module from said first processor system and (ii) wirelessly transmitting stored data from said module; and

a memory module controller (Fig. 3, 98) in communication with said at least one memory module memory device and said memory module transmitter/receiver circuit for storing data in said portable memory module memory device received by said portable memory module transmitter/receiver circuit from said first processor system and for retrieving stored data

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received from said first processor system from said portable memory module memory device for transmission by said portable memory module transmitter/receiver circuit from said module to any of a plurality of other processing systems (Fig. 2; section 0031-0034).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bachner to include a first processing system comprising: a transmitter/receiver circuit and controller as taught by Marshall. One of ordinary skill in the art would have been lead to make such a modification to provide components of a first processing system to wirelessly transmit and receive data with a portable memory module.

Regarding claim 24, a system for the wireless transfer of data according to claim 22, wherein Bachner further discloses said wireless transmission and reception uses radio waves (col. 5, lines 17-24; col. 8, lines 34-67).

Regarding claim 26, a system for the wireless transfer of data according to claim 22, wherein Bachner further discloses said radio waves are BluetoothTM compliant radio waves (col. 5, lines 17-24; col. 8, lines 34-67).

Regarding claim 27, a system for the portable transfer of data according to claim 22, wherein Marshall further discloses said first processor system transmitter/receiver, said memory module transmitter/receiver, and transmitters/receivers of said any of a plurality of other processing systems automatically establish a radio wave communications path between said memory module and either of said first or said any of a plurality of other processor systems when in a vicinity of another transmitter/receiver which transmits or receives data (Figs. 1 and 2; section 0031-0034).

Regarding claim 29, a system for wireless transfer of data according to claim 22, wherein Bachner further discloses said memory module further comprising a self-contained electrical power supply unit at said module for providing operating power to electrical components at said module (col. 10, line 51 – col. 11, line 10).

Regarding claim 30, a system for the wireless transfer of data according to claim 29, wherein Bachner further discloses said power supply unit comprises at least one battery (col. 10, line 51 – col. 11, line 10)

Regarding claim 31, a system for the wireless transfer of data according to claim 30, wherein Bachner further discloses said at least one battery is rechargeable (col. 10, line 51 – col. 11, line 10).

Regarding claim 32, a system for the wireless transfer of data according to claim 31, wherein Bachner further discloses said power supply unit further comprising terminals (Fig. 1, 152) for communicating with a recharger for recharging said at least one rechargeable battery (col. 10, line 51 – col. 11, line 10).

Regarding claim 33, a system for the wireless transfer of data according to claim 32, wherein Bachner further discloses said recharger is a stand-alone recharger (col. 10, line 51 – col. 11, line 10).

Regarding claim 34, a system for the wireless transfer of data according to claim 32, wherein Bachner further discloses said first processor system comprises said recharger (col. 10, line 51 – col. 11, line 10).

Regarding claim 35, a system for the wireless transfer of data according to claim 22,

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wherein Bachner further discloses said wireless transmission and reception uses light waves (col. 5, lines 17-21).

10. Claims 25 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable by Bachner in view of Marshall, as applied to claims 22, and in further view of Lehtonen.

Regarding claim 25, a system for the wireless transfer of data according to claim 22, wherein Bachner in view of Marshall do not disclose said wireless transmission and reception uses radio waves.

Lehtonen discloses a method of wireless data transfer (see Abstract), said method comprising:

wirelessly transmitting data from a first processor system (e.g. Internet, communications network), to a portable memory module or mobile telephone (Fig. 3, 22);

receiving with said portable memory module said data transmitted from the first processor system and

storing said received data at said memory module (Fig. 3, 22: MEM) (section 0041, lines 1-13);

and

wirelessly transmitting stored data previously received from said first processor system from said portable memory module to other processing systems (e.g. headset, earphones, separate display, wrist TV; Fig. 3, 21) (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0027, lines 1-9; section 0031, line 1 – section 0032, line 4; section 0035, lines 1-23; section 0045, lines 4-19; section 0050, lines 1-15).

Wherein Lehtonen further discloses a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bachner in view of Marshall to include a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz as taught by Lehtonen. One of ordinary skill in the art would have been lead to make such a modification in order for the memory module to wirelessly transmit stored data to and receive data to other processing systems using low frequencies to permit communication at low power.

Regarding claim 28, a system for the wireless transfer of data according to claim 22, wherein Bachner in view of Marshall does not disclose said frequency is about 2.4 GHz.

Lehtonen discloses a method of wireless data transfer (see Abstract), said method comprising:

wirelessly transmitting data from a first processor system (e.g. Internet, communications network), to a portable memory module or mobile telephone (Fig. 3, 22);

receiving with said portable memory module said data transmitted from the first processor system and

storing said received data at said memory module (Fig. 3, 22: MEM) (section 0041, lines 1-13);

and

wirelessly transmitting stored data previously received from said first processor system from said portable memory module to other processing systems (e.g. headset, earphones, separate display, wrist TV; Fig. 3, 21) (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0027, lines 1-9; section 0031, line 1 – section 0032, line 4; section 0035, lines 1-23; section 0045, lines 4-19; section 0050, lines 1-15).

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Wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Bachner in view of Marshall to include a frequency of said radio waves is in the range of about 2.4 GHz as taught by Lehtonen. One of ordinary skill in the art would have been lead to make such a modification in order for the memory module to wirelessly transmit stored data to and receive data to other processing systems using low frequencies to permit communication at low power.

11. Claims 39 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable by Bachner, as applied to claims 38 and 36, respectively, and in further view of Lehtonen.

Regarding claim 39, a method according to claim 38, wherein Bachner does not disclose said radio waves have a frequency in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Lehtonen discloses a method of wireless data transfer (see Abstract),
said method comprising:
wirelessly transmitting data from a first processor system (e.g. Internet, communications network), to a portable memory module or mobile telephone (Fig. 3, 22);
receiving with said portable memory module said data transmitted from the first processor system and
storing said received data at said memory module (Fig. 3, 22: MEM) (section 0041, lines 1-13);
and

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wirelessly transmitting stored data previously received from said first processor system from said portable memory module to other processing systems (e.g. headset, earphones, separate display, wrist TV; Fig. 3, 21) (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23; section 0027, lines 1-9; section 0031, line 1 – section 0032, line 4; section 0035, lines 1-23; section 0045, lines 4-19; section 0050, lines 1-15).

Wherein Lehtonen further discloses a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz (section 0032, lines 1-4).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bachner to include a frequency of said radio waves is in the range of about 900 MHz to about 10 GHz as taught by Lehtonen. One of ordinary skill in the art would have been lead to make such a modification in order for the memory module to wirelessly transmit stored data to and receive data to other processing systems using low frequencies to permit communication at low power.

Regarding claim 42, a method according to claim 36, wherein Bachner does not disclose said frequency is about 2.4 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

Lehtonen discloses a method of wireless data transfer (see Abstract),
said method comprising:

wirelessly transmitting data from a first processor system (e.g. Internet, communications network), to a portable memory module or mobile telephone (Fig. 3, 22);
receiving with said portable memory module said data transmitted from the first processor system and

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storing said received data at said memory module (Fig. 3, 22: MEM) (section 0041, lines 1-13);

and

wirelessly transmitting stored data previously received from said first processor system from said portable memory module to other processing systems (e.g. headset, earphones, separate display,

wrist TV; Fig. 3, 21) (section 0014, lines 1-13; section 0016, lines 1-14; section 0019, lines 1-23;

section 0027, lines 1-9; section 0031, line 1 – section 0032, line 4; section 0035, lines 1-23;

section 0045, lines 4-19; section 0050, lines 1-15).

Wherein Lehtonen further discloses said frequency is about 2.4 GHz (section 0032, lines 1-4; section 0035, lines 19-22).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Bachner to include a frequency of said radio waves is in the range of about 2.4 GHz as taught by Lehtonen. One of ordinary skill in the art would have been lead to make such a modification in order for the memory module to wirelessly transmit stored data to and receive data to other processing systems using low frequencies to permit communication at low power.

12. Claim 69 is rejected under 35 U.S.C. 103(a) as being unpatentable by Bachner, as applied to claim 67, respectively, and in further view of Lehtonen.

Regarding claim 69, please see the rejection of claim 39 above, to reject claim 69.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 Form.

14. Any response to this action should be mailed to:

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Or faxed to:

(571) 273-8300 (for formal communications intended for entry)

Or call:

(571) 272-2600 (for customer service assistance)

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lisa Hashem whose telephone number is (571) 272-7542. The examiner can normally be reached on M-F 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

16. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lh
February 15, 2007

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

